HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION NO. 6586 OF 2005

PETITIONER Jawahar Nag Deo, S/o Shri G.D. Chandani, aged about 43 years, r/o Shyam Nagar, Infront of Maharana Pratap Garden Raipur (C.G.)

Vs.

RESPONDENTS

1. The State of Chhattisgarh, through the Secretary Ministry of Home Affairs, D.K.S. Building, Raipur
2. Superintendent of Police, Raipur (CG)
3. Station House Officer, Police Station, Civil Line, Raipur.
4. Station House Officer, Police Station Tikarapara, Raipur
5. Dr. Chetram Bajaj s/o Jethanand, aged about 58 years, President Rajiv Grih Nirman Sahakari Society, Raipur, Katora Talab, Raipur (C.G.)

Present : Smt. Indira Tripathi, learned counsel for the petitioner.

ORAL ORDER

(Passed on 3rd January, 2006)

The petitioner is a member of the Rajiv Grih Nirman Sahakari Samiti Maryadit, Raipur. The dispute brought before this Court by way of this writ petition relates to allotment of a site in favour of the petitioner by the above society. Section 64 of the Chhattisgarh CO-operative Societies Act, 1960 (*for short 'the Act'*) provides that any dispute touching the constitution, management or business, terms and conditions of employment of a society or the liquidation of a society should be referred to the Registrar by any of the parties to the dispute if the parties thereto are among the entities and persons specified in Clauses (a) to (f)

of sub-Section (1) thereof. Undeniably, the dispute brought before this Court is by the dispute envisaged under sub-Section (1) of Section 64 of the *Act*. Be that as it may, the dispute brought before this Court does not involve enforcement of any public law requirement. Looking from that angle also, the extraordinary jurisdiction of this Court could not be invoked for resolution of a private dispute between the petitioner and the above society which is said to be purely a private society and it does not satisfy the definition of "State" as defined under Article 12 of the Constitution. For all these reasons, I am not inclined to entertain this writ petition. It is dismissed accordingly. However, this order shall not come in the way of the petitioner from working out his legal remedies before any other statutory fora or jurisdictional civil Court. There shall be no order as to costs.

Sd/-
Chief Justice

Brajesh